

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Numbering Resource Optimization)	CC Docket No. 99-200
)	
Telephone Number Portability)	CC Docket No. 95-116
)	
Petition of Western Wireless for)	
Clarification or Waiver of its)	
Porting and Pooling Obligations)	
To: The Commission		

Reply Comments of Corr Wireless Communications, LLC

Corr Wireless Communications, LLC (ACorr@), by its attorneys, hereby submits this brief Reply to several of the supporting Comments filed in this proceeding. Several commenters, including Cellular Mobile Systems of St. Cloud, LLC, U.S. Cellular Corporation, and Mid-Missouri Cellular (AMMC@), filed comments generally supporting Western Wireless Corporation=s (AWestern=s@) request for waiver of the number pooling obligation. They note that they, like Western, are RSA licensees who suddenly find themselves saddled with MSABsize pooling obligations as a result of recent changes in the definitions of the counties comprising MSAs. They suggest, therefore, that while a waiver is certainly justified in the case of Western, the predicament which Western finds itself in applies to a number of other similarly situated RSA licensees. The Commission should therefore recognize the problem generically and grant across-the-board relief to the handful of licensees who are caught in the conundrum rather than processing a series of individualized waiver requests. Because Corr, too, is in this small group of adversely affected licensees, it supports their request that the Commission deal efficiently and consistently with the predicament by a single order.

Corr is the licensee of cellular RSA-1 in rural Alabama. It has operated there for over ten years, dealing with the multitude of problems that beset rural CMRS providers. Corr was surprised to learn recently that Blount County, one of the rural counties comprising RSA-1 by reference to Section 22.909 of the rules, had been re-assigned by the Census Bureau to the Birmingham, Alabama, CMSA. This would have the effect of imposing Atop 100 market@ number pooling requirements on Corr for its rate center in Blount. In order to accomplish that, Corr=s entire switch would have to be upgraded and software added at enormous cost even though Blount represents only about 30% of the RSA=s population.

The Commission clearly recognized in adopting the number pooling scheme that the burden of pooling had little benefit in rural areas where number depletion is not a problem. It also recognized that the costs of pooling were disproportionately high for rural carriers who cannot spread the cost over tens of thousands of subscribers. *In re Numbering Resource Optimization, Third Report and Order and Second Order on Reconsideration*, 17 FCC Rcd 252 (2001). In addition, MMC points out that the imposition of number pooling requirements on small rural carriers adjacent to major markets could have serious deleterious anti-competitive effects on the small carriers.

Perhaps more importantly, the allocation of portions of Rural Service Areas to adjacent areas could seriously confuse the regulatory classification of these territories. Heretofore, the Commission defined the RSAs by a list of fixed counties. *Cellular MSA/RSA Markets and Counties*, 7 FCC Rcd 742 (1992). These counties delineated the boundary of the RSAs for all purposes, and licensees could plan their network build-outs, roaming arrangements, coverage requirements, equipment upgrades, marketing plans, and anticipated expenses based on these definitive and immutable parameters. Now suddenly a county that is RSA territory for most

regulatory purposes is treated as being part of the adjacent MSA for one purpose. In effect, the FCC is haphazardly overlaying MSA-specific regulatory obligations on RSAs, without sufficient consideration of the serious consequences of that action. The transformation from RSA to MSA is even more startling when a county suddenly shifts from a presumptively small-market regulatory regime to top 100 MSA status in a single bound.

By fuzzing the heretofore clear distinction between RSAs and MSAs, the Commission has created a breed of regulatory territory which is neither fish nor fowl. It would be like settling a territorial dispute between New York and New Jersey by declaring that Ellis Island will be considered part of New York for some purposes but part of New Jersey for others. That kind of jurisdictional schizophrenia can only lead to continuing confusion as the jurisdictional classification becomes blurred and situational rather than constant.

Corr therefore urges the Commission not only to grant the relief requested by Western, but also to extend the same relief to the four other carriers who appear to be in the exact same boat. Because there is nothing RSA-specific to Western's request, it makes sense B and will conserve the resources of both the affected carriers and the Commission itself B to grant the same relief to the other carriers whose RSA components have been redesignated into top 100 MSAs.

Respectfully submitted.

CORR WIRELESS COMMUNICATIONS, LLC

By _____
Donald J. Evans

Fletcher, Heald & Hildreth, PLC
1300 North 17th Street, 11th Floor
Arlington, VA 22209
703-812-0400

April 14, 2003

Its Attorneys

\\Fhh\FHH Docs\Corr Wireless Comm\FCC Pleadings\Reply Comments.2003.04.07.DJE.wpd